

**Contents**

5	Registrar Office Operations.....	1
5.1	The Voter Registration Office .....	1
5.1.1	Public Access.....	2
5.1.2	Operating Hours .....	2
5.1.3	Emergency Closings and Holidays.....	3
5.2	Registration Offices at the Department Of Motor Vehicles .....	4
5.2.1	Co-location .....	4
5.2.2	Staffing .....	5
5.2.3	Pre-clearance .....	6
5.2.4	Relocation.....	6
5.2.5	Establishing an Agreement with DMV .....	7
5.2.6	Public Notice and Pre-clearance.....	7

**5.1 The Voter Registration Office**

The local governing body is required by the Code of Virginia to provide the general registrar with adequately furnished public office space within the locality. [§ 24.2-411](#). The local governing body must also provide postage, stationery, equipment, office supplies, and necessary communications services (*e.g.* phone, fax, and internet). In addition, there should be adequate funding for computers and support, supplies, and computer training for the general registrar and the staff as well as sufficient funding for at least one member of the general registrar staff to attend the SBE's mandatory annual training. The Commonwealth of Virginia does not reimburse the locality for these expenses; nor does the state reimburse for assistant registrars or officers of election. [§ 24.2-111](#).

It is the responsibility of the general registrar and electoral board to obtain sufficient funding from the local governing body. The locality must pay the entire "cost of conducting elections" ([§24.2-600](#)), but the state pays or reimburses some or all of these expenses:

- the general registrar's base salary
- electoral board salaries
- electoral board expenses (to the extent possible)
- the VERIS system and related expenses

- registration related forms

### **5.1.1 Public Access**

The general registrar must ensure that the public may, without difficulty, find contact information for his/her office. For example, it is the general registrar's responsibility to list the office telephone number in the telephone directory under "Voter Registration" or "Elections." This listing can be either alphabetically within the local government listings, alphabetically within the directory, or a combination of these.

The general registrar's office must be clearly marked. Both exterior and interior signs should make the registration office easy for citizens to locate.

All voter registration offices must be accessible to persons with disabilities. A statement of accessibility, a TTY number (it can be the locality's TTY number), and a number to call to request special accommodations are to be included in all advertising.

### **5.1.2 Operating Hours**

The biennial [General Appropriations Act](#) directs that general registrar offices in cities or counties with populations under 10,000 must be open at least three days per week (Monday, Tuesday, and Thursday or as otherwise determined by SBE), January through July, and a minimum of five days per week August through December. Small localities with elections earlier in the year may require additional office hours for voter registration and absentee voting. SBE, when the legislature appropriates funds, may authorize part-time registrar offices to open additional days during January through July.<sup>1</sup> Such authorizations are approved by the SBE on an as-needed basis, within the available funding. To request any such additional funds, the electoral board should adopt a resolution approving the request. Upon approving the resolution, the Secretary of the electoral board should send a signed letter to the Secretary of the State Board of Elections stating the request. The letter must state the dates the office will be open in order to appropriate any additional funds.

All other offices must be open five days per week. The normal operating hours of a general registrar's office vary by jurisdiction. Hours are listed in the "General Registrars' Directory" in the VERIS Directory.

If the office has at least one full-time assistant, lunch hours are to be staggered so that the office is open continuously during the operating hours for each locality. A person working alone who must leave the office locked and unoccupied should put a note on the door giving the time of return. For example, "Back at 1:15 P.M," and *not* "Back in 10 minutes."

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<sup>1</sup> As of April 16, 2012, the following localities have part-time status:

In addition to normal office hours, each office *must* be open during the following times:

- On any day that has a 7:00 P.M. filing deadline with the local election office
  - Closing time for the office on that day shall be 7:00 P.M.
- On the final day of registration before any election<sup>2</sup>
  - The registration books will close at the office's normal closing time, but no earlier than 5:00 P.M.
  - The office must be open a minimum of eight hours that day.
  - If the last day falls on an official holiday, the next day the office is open for business must be considered the final day for registration.
- On the first *and* second Saturdays immediately preceding all general elections, (except May general elections held in towns)
  - The office must be open a minimum of eight hours *between* the hours of 8:00 a.m. and 5:00 p.m. to provide in-person absentee voting.
- On the Saturday immediately preceding any primary election, special election, or May general election held in a town.
  - The office must be open a minimum of eight hours *between* the hours of 8:00 a.m. and 5:00 p.m. to provide in-person absentee voting.

The registrar's office is both an official registration site and a polling place with publicly advertised authorized hours. There may be occasions when the registrar is working in the office on a day or time when the office is closed, particularly during the pre-election period. If a citizen comes to the office during this time, you cannot allow them to apply to register to vote, apply for an absentee ballot or cast an absentee ballot, although you may offer them an application to complete and return by mail or when the office is open. These restrictions are necessary to ensure that all voters are treated fairly.

### **5.1.3 Emergency Closings and Holidays**

Any variation from the stated hours must be handled as a change in voting procedures and submitted to the Department of Justice for preclearance, unless the locality has completed the 'bail-out' process. Bailed out localities must provide public notice of changes. Localities that have not bailed out must notify DOJ of any office closing not addressed in the preclearance submission for the locality's hours of operation. A call to DOJ on the day of the emergency followed by written notice detailing the procedures followed is needed. The same form used for emergency polling place relocations can be submitted for a general registrar office emergency. See GREB 13.

The general registrar's office must observe the same holiday schedule as that observed by the local governing body unless that holiday schedule conflicts with one of the mandated open dates specified by law.

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<sup>2</sup> Effective January 1, 2010, the final day of registration before general and primary elections is the 22d day before the election, which allows books to be closed for a full 21 days. Va. Code 24.2-414, 24.2-416. Shorter times apply for special elections specified in 24.2-416.

## **5.2 Registration Offices at the Department Of Motor Vehicles**

Encouraged by National Voter Registration Act (NVRA), many registrars are establishing offices within DMV facilities. Since the majority of registrations now come from the DMV, these arrangements have proven advantageous both to expedite the registration process, and to reduce registration problems.

There are two ways to establish an office at the DMV:

- Co-location: A satellite office or space within the DMV that is staffed by an employee of the general registrar's office (i.e., an assistant registrar).
- Relocation: physically moving the registrar's main office to the area DMV facility.

While there is much overlap in issues involved in co-location and relocation, these methods are discussed separately below.

### **5.2.1 Co-location**

Since many registrars have established satellite "offices" within DMV facilities, the DMV state office and the SBE have established a general framework for such activities. However, in preparing to make such an arrangement, the registrar must establish a good working relationship with the local DMV manager and make sure all details are worked out beforehand. The registrar should contact other registrars who have such an arrangement to ensure that he/she is aware of all the potential issues that may arise.

There are several benefits to establishing a satellite office in a DMV:

- The voter will be better served because the registrar will be providing the employee(s) on site who are knowledgeable about the registration process.
- The assistant registrar(s) can check to see whether an applicant is already properly registered (DMV employees cannot legally do this).
- The assistant registrar(s) can prevent unnecessary or incomplete registrations, saving much paperwork and time.
- The assistant registrar(s) can enter new applicants directly into VERIS.
- The assistant registrar(s) can sort applications by locality and send them directly to the receiving locality, thus saving the time it takes for applications to go through the SBE sorting process.

When an individual comes to the DMV to apply or renew a driver's license or conduct other qualifying business at the DMV Customer Service Center, before offering voter

registration, the DMV employee must ask the applicant if he/she is a citizen of the United States. If so, the DMV clerk will ask the customer if he/she wishes to register to vote or change their residence address. If the customer says yes, he/she is given a Print-on-Demand preprinted voter registration application and is instructed to complete the application and take it to the voter registration desk. The assistant registrar will process the application according to established voter registration procedures. There may be variations on this typical process depending on local circumstances.

An assistant registrar at a co-location may handle data entry for changes or new registrants for more than one locality. Both general registrars must agree, sign a written agreement, and forward the signed agreement to SBE. In this case, one general registrar must agree to act as the supervisor and will request routine access for the assistant as an employee of the supervising locality. Once SBE receives the signed agreement, the VERIS Help Desk will issue the assistant a second VERIS user name and initial password for the new, non-supervising locality. If more than two localities are involved, the general registrar of the supervising locality must enter into individual agreements with each participating general registrar and the assistant will receive a separate user name and password for each non-supervising locality. The supervising general registrar must instruct the assistant to use separate passwords for each user name.

A locality should consider the following before it establishes a co-location:

- The participating registrar(s) must staff the site all hours that the DMV is open. Since this is typically more than 40 hours a week, the registrar(s) must ensure that adequate personnel are available. The DMV will not and should not provide its own personnel to staff the registration desk at any time;
- The registration function should be in a space clearly delineated from the regular DMV functions. There should be large and clear signage showing that the registrar's employee is there for voter registration purposes only;
- The DMV will provide a computer and peripherals (e.g., printers, fax machines, scanners, etc.) for the voter registration space. SBE and VITA will ensure access to VERIS and the SBE website.

 This is not true for relocations, only co-location satellites.

### **5.2.2 Staffing**

Staffing a co-location can be difficult, because staffing the site for more than 40 hours a week requires more than one employee. Localities lacking sufficient staff have at least two options.

The first option is to have multiple staff representing multiple localities in a single DMV. For DMV offices that serve multiple localities, the registrars may wish to set up the staffing so that each affected locality provides some of the staffing. If there are two major localities that are served by the DMV office, then each locality can provide one

person, and the two can split the time at the DMV office. (These employees may work solely at the DMV office or may also work part of the time in the registrar's office.) If three localities are served, DMV time may be split three ways, and so on. If the registrars choose this option, then they must ensure that each employee follows the same procedures while serving at the DMV.

The second option is to have staff shared by multiple localities. The registrar may employ staff members who are shared by more than one locality. [§ 24.2-112](#). One locality must serve as the administrative “lead” for such an arrangement, provide personnel supervision, and pay the employee(s). The other localities in this arrangement will then reimburse the lead locality (pay and benefits) based on a pre-arranged formula. While the shared-staff arrangement has its drawbacks, it may provide an easier way of obtaining funding from local governing bodies for the extra staff required for the co-location.

### **5.2.3 Pre-clearance**

Localities must publish notice and unless bailed out, apply to the US Department of Justice for pre-clearance to change the location of the general registrar’s office or establish a co-location. *See*, GREB 24.

### **5.2.4 Relocation**

Relocation involves moving the primary registration office (and in most cases the electoral board office) to within the DMV facility. To do this, the registrar will need to establish a close working relationship with the state and local DMV officials, since there will be many items to be addressed:

- Office Size
  - Does the DMV facility have adequate space to establish a working office?
  - The space must be large enough for day-to-day activities as well as election preparation.
- On-site storage
  - Does the DMV facility have adequate additional space for all the materials, supplies, and equipment that were stored at the former location?
  - In some cases, storage may be available in the former location, but it should be easily accessible.
- Parking
  - The DMV will need to be able to provide sufficient designated parking spaces for voter registration and absentee voters, including spaces accessible to persons with disabilities.
- Access to facilities
  - What are the provisions for the registrar and his/her employees to have access to bathrooms, lunchroom, etc.?
  - Will the office space be in a place that has full public access?

- Access during DMV off-hours
  - Although DMV offices are generally open for more hours than registration offices, the registrar will need to ensure that there will be full access, including public access, to the office(s) when the DMV is closed.
  - This is particularly important during the candidate filing and pre-election periods.
- Security
  - DMV offices have a greater risk of suffering criminal conduct such as robbery and terrorism, requiring heightened security systems.
  - Will these security systems interfere with normal operation of the registrar's office, especially during DMV off-hours?
  - Will there be adequate security and storage space for voter registration and election purposes?
- Computer System
  - Unlike a co-location, with relocation the DMV is not responsible for providing the registrar a computer; therefore, the registrar will have to make arrangements with their locality to provide the cabling and equipment necessary for computer access at the DMV facility.
  - Making these arrangements is often a complex and time-consuming process and should be started well before the actual move.
- Furniture and Equipment
  - What do you need, and who will provide it?

### **5.2.5 Establishing an Agreement with DMV**

The registrar will need to develop a lease agreement with the DMV for the space. Since DMV authorities have actively encouraged registration office relocations, the cost of leasing space in their facilities is quite low. Such a lease agreement is not between the registrar and the DMV, but between the local governing body and the DMV, since the local governing body is legally responsible for providing the registrar with office space. [§ 24.2-411](#). However, all the particulars in the agreement directly affect the registrar, and thus the registrar should be involved and consulted about the details before any agreement is made. Important issues include the length of lease, and provisions for renewal, termination, and access provisions. It is best to keep hours of operation out of the lease to have the flexibility to change them without having to change the lease. The registrar is encouraged to look at leases from other localities that have relocated to make sure all relevant details have been considered and included.

### **5.2.6 Public Notice and Pre-clearance**

The registrar will need to develop a plan for notifying the public about the move. The general registrar must provide notice not more than 21 days before and not later than 7 days after the change in location using one of three permitted notice methods: (1)

locality website posting; (2) posting at 10 public places; or (3) one publication in a newspaper of general circulation in the locality. [§ 24.2-306](#).<sup>3</sup> Also, unless the locality has successfully completed the bailout process, the locality will need to apply for pre-clearance before it can move the registrar's office. The pre-clearance and voter notification requirements are important to consider in planning the timeframe for the move and costs.

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<sup>3</sup> 2012 legislation eliminates the requirement of individually mailed notice for the general registrar office location changes.